

MEETINGS TO DATE 4  
NO. OF REGULARS 3  
NO. OF SPECIALS 1

LANCASTER, NEW YORK  
FEBRUARY 6, 1989

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 6th day of February 1989 at 8:00 P.M. and there were

PRESENT: RONALD A. CZAPLA, COUNCILMAN  
ROBERT H. GIZA, COUNCILMAN  
DONALD E. KWAK, COUNCILMAN  
JOHN T. MILLER, COUNCILMAN  
STANLEY JAY KEYS, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK  
RICHARD J. SHERWOOD, TOWN ATTORNEY  
BRUCE SHEARER, TOWN ENGINEER  
ROBERT L. LANEY, BUILDING INSPECTOR

BID OPENING SCHEDULED FOR 8:00 P.M.:

At 8:05 P.M., the Town Board considered sealed proposals for furnishing to the Town of Lancaster Recreation Department sporting and athletic equipment for the year 1989.

ON MOTION BY COUNCILMAN GIZA, AND SECONDED BY COUNCILMAN KWAK, AND CARRIED, by unanimous voice vote, the time for receiving the aforesaid proposals was closed at 8:05 P.M.

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

Proposals were received from the following bidders:

BIDDERS

Ruby's Sporting Goods Store, Inc.  
853-857 Clinton Ave. S.  
Rochester, New York 14620

Morley Athletic Supply Co., Inc.  
P.O. Box 557  
208 Division Street

Amsterdam, New York 12010  
Passon's Sports  
P.O. Box 49

Jenkintown, Pennsylvania 19046  
Four Seasons Sports  
2265 Geo. Urban Boulevard  
Depew, New York 14043

BSN Corp.  
P.O. Box 7726  
Dallas, Texas 75209

Laux Sporting Goods  
25 Pineview Drive  
Audubon Industrial Park  
N. Tonawanda, New York 14120

Southtown Sports, Inc.  
180 Buffalo Street  
Hamburg, New York 14075

U.S. Games (NO BID)  
P.O. Box 11708  
Carrollton, Texas 75011-7028

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**BID OPENING SCHEDULED FOR 8:00 P.M. (CONT'D.):**

**BIDDERS**

Jim Ludke Sporting Goods Inc.  
3383 Harlem Road  
Cheektowaga, New York 14225

ON MOTION BY COUNCILMAN CZAPLA, AND SECONDED BY COUNCILMAN KWAK AND CARRIED, by unanimous voice vote, the aforesaid proposals were ordered turned over to the Recreation Commission for examination, tabulation and recommendation.

**BID OPENING SCHEDULED FOR 8:15 P.M.:**

At 8:15 P.M., the Town Board considered sealed proposals for furnishing to the Town of Lancaster unleaded gasoline for the year 1989.

ON MOTION BY COUNCILMAN KWAK, AND SECONDED BY COUNCILMAN MILLER, AND CARRIED, by unanimous voice vote, the time for receiving the aforesaid proposals was closed at 8:15 P.M.

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

Proposals were received from the following bidders:

**BIDDERS**

Agway Petroleum Corp.  
P.O. Box 4852  
Syracuse, New York 13221-4852

Pautler Oil Service  
6372 Broadway  
Lancaster, New York 14086

ON MOTION BY COUNCILMAN KWAK, AND SECONDED BY COUNCILMAN MILLER AND CARRIED, by unanimous voice vote, the aforesaid proposals were ordered turned over to the Police Chief for examination, tabulation and recommendation.

**PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:**

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster designated Chapter 46 of the Code of the Town of Lancaster regarding Article VIII (Stop and Yield Intersections), Article IX (Speed Regulations) and Article X (Parking, Standing and Stopping).

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

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**PUBLIC HEARING SCHEDULED FOR 8:30 P.M. CONT'D.:**

**PROPOSENTS**

None

**OPPOSENTS**

None

**COMMENTS ONLY**

None

**ADDRESS**

**QUESTIONS ONLY**

James Guenther

**ADDRESS**

562 Pavement Road, Lancaster

ON MOTION BY COUNCILMAN CZAPLA, AND SECONDED BY COUNCILMAN GIZA AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:37 P.M.

The Town Board later in the meeting adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

**PUBLIC HEARING SCHEDULED FOR 8:45 P.M.:**

At 8:45 P.M., the Town Board held a Public Hearing to hear all interested persons upon the proposed rezone petition of Genesis Development of W.N.Y., Inc. for property situate at 501 Aurora Street.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk presented copies of letters which were mailed to the Petitioner and the Erie County Division of Planning, notifying them of the time and place of this Public Hearing.

The Town Clerk presented a Zoning Coordination Referral from the Erie County Division of Planning wherein the Division acknowledged receipt of a Notice of this Public Hearing and commented as follows:

1. The SEQR process on the proposal should be completed prior to Town action on this rezoning proposal.
2. Mr. Thomas R. Hersey of the Division of Environmental Compliance Services commented that before the Town acts on the rezoning request for this project, Erie County Sewer District No. 4 should verify the existence of adequate capacity in the downstream sewer trunk system to handle the associated increased flows. Sanitary sewer approval will be required for this project and plans should be submitted to DEP for review. The sewer district will have to document adequate sewer capacity for the proposed development before plan approval can be granted for the development.
3. The ECDPW- Division of Highways will require a curb-cut permit for Aurora Drive and will examine safety and drainage plans for the proposed development. Initial concerns of the Division include where drainage toward William Street will terminate and the over-design of the entrance on Aurora Street.

**PUBLIC HEARING SCHEDULED FOR 8:45 P.M. CONT'D.:**

4. The proposed berms on the Southeast corner of the proposed site property appear to block the natural drainage from the existing pond.

The Town Clerk presented a letter from the Town of Lancaster Planning Board to the Town Board recommending a provisional approval of the proposed rezone.

**PROPOSERS**

**ADDRESS**

Raymond Roll, Attorney for the  
Petitioner  
Norman Salzer  
Stanley Waller

1 Niagara Square, Buffalo  
4887 William Street, Lancaster  
4871 William Street, Lancaster

**OPPOSERS**

**ADDRESS**

Robert Zichittella  
Mary Bolton  
Patrick Welch  
Michael Dombrowski  
Robert Davidzik  
John Pawelski  
Richard Sojda  
Peter Merkwa  
Bayford Leightor  
Jerry Mejak  
Tom Yearley  
Daniel Spaeth  
Norman Hartmann  
Kurt Karcher  
Gill Baker

53 Country Place, Lancaster  
503 Aurora Street, Lancaster  
85 Country Place, Lancaster  
55 Country Place, Lancaster  
4909 William Street, Lancaster  
71 Country Place, Lancaster  
568 Aurora Street, Lancaster  
489 Aurora Street, Lancaster  
67 Country Place, Lancaster  
33 Country Place, Lancaster  
10 Old Post Road, Lancaster  
500 Aurora Street, Lancaster  
15 Country Place, Lancaster  
4 Squirrel Run, Lancaster  
7 Squirrel Run, Lancaster

ON MOTION BY COUNCILMAN MILLER, AND SECONDED BY COUNCILMAN KWAK  
AND CARRIED, by unanimous voice vote, the Public Hearing was closed at  
10:15 P.M.

The Supervisor informed those present that the Town Board would  
reserve decision on this matter.

**PUBLIC HEARING SCHEDULED FOR 9:00 P.M.:**

At 10:20 P.M., the Town Board held a Public Hearing to hear all  
Interested persons upon the proposed Special Use Permit Application of Lura  
Ballagh for a picnic grove on premises situate at 5687 Genesee Street.

Affidavits of Publication and Posting of a Notice of a Public  
Hearing were presented and ordered placed on file.

The Town Clerk presented copies of letters which were mailed to  
the Petitioner and the Erie County Division of Planning, notifying them of  
the time and place of this Public Hearing.

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PUBLIC HEARING SCHEDULED FOR 9:00 P.M. CONT'D.:

The Town Clerk presented a Zoning Coordination Referral from the Erie County Division of Planning wherein the Division acknowledged receipt of a Notice of this Public Hearing and commented as follows: "No Recommendation".

The Town Clerk presented a letter from the Town of Lancaster Planning Board to the Town Board recommending approval of the proposed rezone.

PROPOSERS

ADDRESS

Lura Ballagh, the petitioner  
James Guenther

562 Pavement Road, Lancaster

OPPOSERS

COMMENTS ONLY

None

None

QUESTIONS ONLY

None

ON MOTION BY COUNCILMAN MILLER, AND SECONDED BY COUNCILMAN GIZA  
AND CARRIED, by unanimous voice vote, the Public Hearing was closed at  
10:35 P.M.

The Supervisor informed those present that the Town Board would  
reserve decision on this matter.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town Board held on January 23, 1989, and the Joint Meeting of the Town Board and the Planning Board held on January 23, 1989 as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

February 6, 1989

File: R-MIN (P2)

32X1

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN CZAPLA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

WHEREAS, a Public Hearing was held on the 6th day of February, 1989,  
for the purpose of amending Chapter 46-Vehicle and Traffic Ordinance of the  
Code of the Town of Lancaster, and persons for and against such amendments have  
had an opportunity to be heard, and

WHEREAS, Notice of said Public Hearing was duly published and posted;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

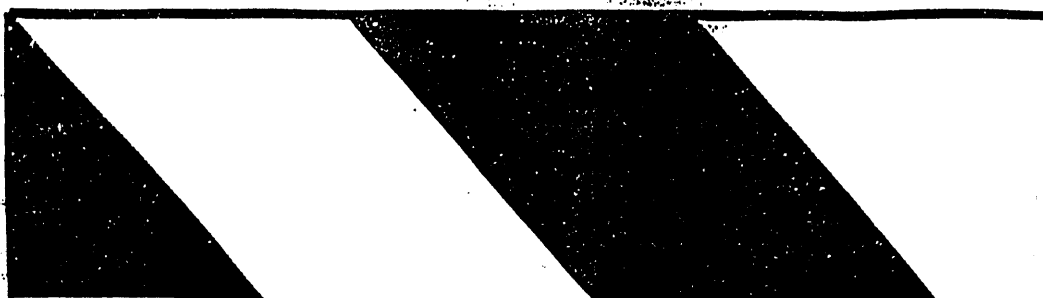
1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of the  
Town of Lancaster, be amended in the form attached hereto and made a part  
hereof;
2. That said amendments be added in the minutes of the meeting of  
the Town Board of the Town of Lancaster held on the 6th day of February, 1989;
3. That a certified copy thereof be published in the Lancaster Bee  
on February 9, 1989;
4. That a certified copy of the amendments be posted on the Town  
Bulletin Board;
5. That Affidavits of Publication and Posting be filed with the Town  
Clerk, and
6. That the Highway Superintendent take whatever action is necessary  
to install signs in accordance with the law.

The question of the adoption of the foregoing resolution was duly put  
to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

February 6, 1989



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THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN CZAPLA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

WHEREAS, a Public Hearing was held on the 6th day of February, 1989,  
for the purpose of amending Chapter 46-Vehicle and Traffic Ordinance of the  
Code of the Town of Lancaster, and persons for and against such amendments have  
had an opportunity to be heard, and

WHEREAS, Notice of said Public Hearing was duly published and posted;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of the  
Town of Lancaster, be amended in the form attached hereto and made a part  
hereof;

2. That said amendments be added in the minutes of the meeting of  
the Town Board of the Town of Lancaster held on the 6th day of February, 1989;

3. That a certified copy thereof be published in the Lancaster Bee  
on February 9, 1989;

4. That a certified copy of the amendments be posted on the Town  
Bulletin Board;

5. That Affidavits of Publication and Posting be filed with the Town  
Clerk, and

6. That the Highway Superintendent take whatever action is necessary  
to install signs in accordance with the law.

The question of the adoption of the foregoing resolution was duly put  
to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

February 6, 1989

LEGAL NOTICE  
NOTICE OF ADOPTION OF AMENDMENT  
TO  
VEHICLE & TRAFFIC ORDINANCE  
OF THE  
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK  
DESIGNATED AS CHAPTER 46 OF CODE OF THE TOWN OF LANCASTER

The Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated Chapter 46 of the Code of the Town of Lancaster is hereby amended as follows:

ARTICLE VIII - Stop and Yield Intersections:

§46-8, Stop Intersections designated, is hereby amended by adding thereto:

.....

<u>STREET</u>	<u>DIRECTION</u>	<u>ENTRANCE STREET</u>	<u>TRAFFIC STOPS</u>	<u>SIGN LOCATION</u>
Tem. Turnaround (Indian Pine Sub.)	east/west	Arrow Trail	Eastbound	S.W. Corner
Forestream Dr.	east/west	Transit Road	Westbound	N.E. Corner
Forestream Dr.	east/west	Enchanted Forest	Eastbound	S.W. Corner
Cidermill Ct.	east/west	Enchanted Forest	Westbound	N.E. Corner
Old Mill Run	north/south	Enchanted Forest	Northbound	S.E. Corner
Harewood Run	north/south	Enchanted Forest	Northbound	S.E. Corner
Running Brook Dr.	east/west	Aurora Street	Eastbound	S.W. Corner
Running Brook Dr.	east/west	Fieldstone Lane	Westbound	N.E. Corner
Running Brook Dr.	east/west	Sugarbush Lane	Westbound	N.E. Corner
Running Brook Dr.	east/west	Deepwood Place	Westbound	N.E. Corner
Deepwood Place	north/south	Running Brook Dr.	Southbound	N.W. Corner
Sugarbush Lane	north/south	Running Brook Dr.	Northbound	S.E. Corner
Sugarbush Lane	east/west	Fieldstone Lane	Eastbound	S.E. Corner
Fieldstone Lane	north/south	Sugarbush Lane	Northbound	S.E. Corner
Fieldstone Lane	north/south	Running Brook	Northbound	S.E. Corner
Greenbriar Dr.	east/west	Warner Road	Eastbound	N.W. Corner
Rose Hill Circle	north/south	Greenbriar Dr.	Southbound	N.W. Corner
Plumb Creek Trail	east/west	Steinfeldt Road	Westbound	N.E. Corner
Jenny Lane	north/south	Plumb Creek Trail	Southbound	N.W. Corner

2.) ARTICLE IX - Speed Regulations

546-9, Maximum speed limits, is hereby amended to read as follows:

.....

B. Area speed limits shall be posted at thirty (30) miles per hour at all entrance roads and various locations, when deemed appropriate, within the following subdivisions:

- (1) Countryside Subdivision
- (2) Countryview Subdivision
- (3) Heritage Hills Subdivision
- (4) Forestream Village Subdivision
- (5) Indian Pine Village Subdivision
- (6) Plumb Estates Subdivision
- (7) Plumb Estates South Subdivision
- (8) The Meadows Subdivision
- (9) Warnerview Estates Subdivision

C. A speed limit of forty-five (45) miles per hour shall be posted on the following designated highways:

.....

- (7) Erie Street, for eastbound and westbound traffic from Steinfeldt Road east to Pavement Road.
- (8) Pleasant View Drive for eastbound and westbound traffic east from House No. 444 Pleasant View Drive to terminus of Pleasant View Drive at Pavement Road.

D. A speed limit of thirty-five (35) miles per hour shall be posted on the following designated highways, shall be amended to read as follows:

.....

- (4) Pleasant View Drive, for eastbound and westbound traffic from Forton Drive east to House No. 444 Pleasant View Drive.

.....

- (7) Erie Street, for eastbound and westbound traffic from the east line of the Village of Lancaster east to Steinfeldt Road.

.....

F. A speed limit of forty (40) miles per hour shall be posted on the following designated highways:

.....

- (3) William Street, for eastbound and westbound traffic from Bowen Road east to No. 5360 William Street.

3) ARTICLE X - Parking, Standing and Stopping.

§46-12, Parking prohibited in designated locations, is hereby amended to read as follows:

A. The parking of vehicles is hereby prohibited in any of the following locations:

.....

(15) Countryside Subdivision.

.....

(k) On the north side of Country Place from a distance of fifteen (15) feet east of a fire hydrant located in front of House No. 21 Country Place, continuing west to a point fifteen (15) feet east of the next fire hydrant, located in front of House No. 33 Country Place.

§46-13, Standing prohibited in designated locations, is hereby amended to read as follows:

B. The standing of any vehicles is hereby prohibited in any of the following locations:

.....

(15) Countryside Subdivision.

.....

(k) On the north side of Country Place from a distance of fifteen (15) feet east of a fire hydrant located in front of House No. 21 Country Place, continuing west to a point fifteen (15) feet east of the next fire hydrant, located in front of House No. 33 Country Place.

February 6, 1989

STATE OF NEW YORK:  
COUNTY OF ERIE : ss:  
TOWN OF LANCASTER:

THIS IS TO CERTIFY that I, ROBERT P. THILL, Town Clerk and Registrar of Vital Statistics of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of an Amendment to the Vehicle & Traffic Ordinance, with the original thereof filed in my office at Lancaster, New York, on the 6th day of February, 1989, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 6th day of February, 1989.

Robert P. Thill  
Town Clerk and Registrar of Vital Statistics

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3) ARTICLE X - Parking, Standing and Stopping.

§46-12, Parking prohibited in designated locations, is hereby amended to read as follows:

A. The parking of vehicles is hereby prohibited in any of the following locations:

.....

(15) Countryside Subdivision.

.....

(k) On the north side of Country Place from a distance of fifteen (15) feet east of a fire hydrant located in front of House No. 21 Country Place, continuing west to a point fifteen (15) feet east of the next fire hydrant, located in front of House No. 33 Country Place.

§46-13, Standing prohibited in designated locations, is hereby amended to read as follows:

B. The standing of any vehicles is hereby prohibited in any of the following locations:

.....

(15) Countryside Subdivision.

.....

(k) On the north side of Country Place from a distance of fifteen (15) feet east of a fire hydrant located in front of House No. 21 Country Place, continuing west to a point fifteen (15) feet east of the next fire hydrant, located in front of House No. 33 Country Place.

February 6, 1989

STATE OF NEW YORK:  
COUNTY OF ERIE : ss:  
TOWN OF LANCASTER:

THIS IS TO CERTIFY that I, ROBERT P. THILL, Town Clerk and Registrar of Vital Statistics of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of an Amendment to the Vehicle & Traffic Ordinance, with the original thereof filed in my office at Lancaster, New York, on the 6th day of February, 1989, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 6th day of February, 1989.

Robert P. Thill  
Town Clerk and Registrar of Vital Statistics

32x1

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER, TO WIT:

WHEREAS, the Dog Control Officer of the Town of Lancaster, by letter dated January 18, 1989, has requested authorization to purchase one (1) 1989 GMC Pickup Truck under New York State Office of General Services Contract from Maier-Schule GMC Inc., 1745 Walden Avenue, Buffalo, New York 14225, at a cost of \$9,069.00

NOW, THEREFORE, BE IT

RESOLVED, that the Michael Wehner, Dog Control Officer of the Town of Lancaster, be and is hereby authorized to purchase one (1) 1989 GMC Pickup Truck under the New York State Office of General Services Contract from Maier-Schule GMC Inc., 1745 Walden Avenue, Buffalo, New York 14225, as follows:

	State Contract Unit Price
1989 GMC Pickup truck, 4 x 2, Type A-3 with 8' body	\$8,094.00
<u>Optional Equipment:</u>	
Item 10 - Automatic Transmission (4-speed/OD)	\$ 652.00
Item 11 - Non-Spin Differential	248.00
- Intermittant Wipers	59.00
- AM-FM Radio	268.00
- Cloth Interior	N/C
- Tinted Glass	48.00
Less: Credit for removal of 8' box body	-(300.00)
	<u>---975.00</u>
<b>TOTAL COST</b>	<b>\$9,069.00</b>

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

February 6, 1989

File: R-STATE-PUR

12X1

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster desires to expand  
the development of town-owned Walden Pond Park, and

WHEREAS, the Environmental Quality Bond Act of 1986 of the State  
State of New York is a potential source of funding for the development proposed  
by the Town at the aforementioned park,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby  
authorizes the Supervisor of the Town of Lancaster to file an application with  
the New York State Office of Parks, Recreation and Historic Preservation for  
financial assistance in accordance with the provisions of Title 9 of the  
Environmental Quality Bond Act of 1986 in an amount not to exceed \$256,100.00,  
and, further, that upon approval of this request for funding, the Supervisor  
is authorized to execute a Project Agreement with the State for such financial  
assistance for the expansion and development of Walden Pond Park.

The question of the adoption of the foregoing resolution was duly put  
to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

February 6, 1989

BXL

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN MILLER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

WHEREAS, the Highway Superintendent has submitted a proposed Agreement to the Town Board of the Town of Lancaster for the expenditure of highway funds for the year 1989, pursuant to the requirements of the Highway Law of the State of New York, and

WHEREAS, the Highway Superintendent has advised that the allocation of money in the proposed Agreement for general repairs to be carried out includes the cost of labor and materials, and

WHEREAS, the Town Board of the Town of Lancaster has reviewed the proposal by the Highway Superintendent;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster does hereby authorize the execution of the proposed Agreement to Spend Town Highway Funds as submitted by the Superintendent of Highways.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

February 6, 1989



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN CZAPLA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated January 16, 1989, has requested the confirmation of one new member duly elected to the membership of the Town Line Volunteer Fire Department, Inc.,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the addition to the membership of the Town Line Volunteer Fire Department, Inc. of the following individual:

**ADDITION**

Thomas Bunk  
11357 Cary Road  
Alden, New York 14004

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

February 6, 1989

File: R-FIRE (P4)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK, TO WIT;

WHEREAS, the Executive Director of the Youth Bureau, by letter dated February 1, 1989, has recommended the appointment of several individuals for the position of tutors, and by same letter has notified the Tow Board of the resignation of Lisa Labinski as a Tutor with the Youth Bureau of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that KIMBLERY A. LEMBICZ, 37 Hidden Trail, Lancaster, New York 14086, DIONNE M. NUMER, 83 King Street, Depew, New York 14043 and TINA L. MEISSNER, 5532 Meadow Drive, Hamburg, New York 14075 (25 Parkdale Drive, Lancaster, New York 14086, effective 4/15/89), be and are hereby appointed to the position of Tutors, part-time temporary, for work with the Town of Lancaster Youth Bureau in their Tutorial Program, at an hourly rate of \$5.00 per hour, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

February 6, 1989

File: R-TUTOR(P1)

32x1

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR KEYSA, WHO MOVED  
ITS ADOPTION, SECONDED BY THE ENTIRE  
TOWN BOARD, TO WIT:

WHEREAS, Almighty God, in His Infinite wisdom, has removed from our midst, PETER J. BOLENDER, in whose death we have lost a sincere and loyal friend, his community a valued and respected citizen and his family a kind and devoted member, and

WHEREAS, the recent passing of PETER J. BOLENDER has saddened the hearts of all residents of the Town of Lancaster and all who were honored to have in any way come in contact with him, and

WHEREAS, PETER J. BOLENDER gave so generously of himself in dedicated service as a Councilman of the Town of Lancaster, and

WHEREAS, we shall miss his pleasant companionship and good fellowship and his wise counsel,

NOW, THEREFORE, BE IT

RESOLVED, that we mourn deeply the passing of our worthy and beloved friend and extend this expression of heartfelt sympathy to his family in this, their sad bereavement, confident in the knowledge that, having reached the end of his earthly journey, he has received his eternal and glorified reward in Heaven, having heard the consoling words of the Master, "Well done, thou good and faithful servant!"

LANCASTER TOWN BOARD

Stanley J. Keysa, Supervisor

Ronald A. Czapia, Councilman

Donald E. Kwak, Councilman

Robert H. Gliza, Councilman

John T. Miller, Councilman

February 6, 1989

File: R-MEMLZ (P1)

12x1

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN MILLER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

WHEREAS, the Town of Lancaster has established a Refuse and Garbage District for the area of the Town of Lancaster outside of the villages, and also including the Village of Lancaster, on October 3, 1988, and

WHEREAS, the Town Board of the Town of Lancaster now deems it in the public interest to gain control of the solid waste stream from the established district to provide for disposal at the Occidental Chemical Corporation Energy from Waste Plant, which will stabilize disposal costs for the district, and

WHEREAS, the Town Board of the Town of Lancaster, as part of controlling the waste stream, deems it in the public interest to expose to public bid the collection of solid waste within the aforementioned Refuse and Garbage District, again to stabilize the cost of collection to residents of the Town,

NOW, THEREFORE, BE IT

RESOLVED, that Notice to Bidders, in form attached hereto and made a part hereof, be published in the Lancaster Bee, and be posted according to Law, that the Town will receive bids up to 8:10 o'clock P.M., Local Time, on March 6, 1989, for the collection of Refuse and garbage in the area of the Town of Lancaster outside the villages and also including the Village of Lancaster, and the disposal of same at the Occidental Chemical Corporation Energy from Waste Plant in Niagara Falls, New York, in accordance with specifications on file in the office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYS	VOTED	YES

The resolution was thereupon unanimously adopted.

February 6, 1989

32X1

LEGAL NOTICE  
TOWN OF LANCASTER  
NOTICE TO BIDDERS

SEALED BIDS for Refuse and Garbage Collection within the Town of Lancaster Refuse and Garbage District will be received by the Town Clerk at his office in the Town Hall, 21 Central Avenue, Lancaster, New York, on or before 8:10 P.M. o'clock Local Time on the 6th day of March, 1989, at which time they will be opened and read aloud in the Council Chambers in the Town Hall, 21 Central Avenue, Lancaster, New York.

Specifications and Bid Sheets may be obtained or examined at the office of the Town Clerk of the Town of Lancaster between the hours of 9:00 A.M. and 5:00 P.M. from February 8, 1989 to March 3, 1989 except Saturdays, Sundays, and holidays.

Proposals shall be made and received upon the following conditions:

Each proposal must be accompanied by the deposit of a certified check, payable to the order of the Town of Lancaster, for a sum equal to five percentum (5%) of the total amount of the bid, or a bond with sufficient sureties in a penal sum equal to five percentum (5%) of such total bid amount, conditioned that if the proposal is accepted, the successful bidder will enter into a contract for the work, and that he will execute within fifteen (15) days from the date of the acceptance of the proposal, a suitable security bond in the amount of 10% of the bid conditioned for the faithful and prompt performance and completion of the work specified in the Contract.

No Bid will be considered or read unless accompanied by the required Non-Collusive Bidding Certificate properly executed by the Bidder.

All deposits, except that of the successful bidder, will be returned.

Bids may be withdrawn any time prior to the bid opening by an authorized representative of the Bidder.

Upon acceptance of its bid, if the successful bidder fails to enter into a contract pursuant to the requirements of the Board, or fails to give the further security prescribed in this notice, with the time limited therein, then the check, deposited as aforesaid and the moneys standing to the credit of the same, shall be forfeited to the Town as liquidated damages, or the payment of the bond enforced for the benefit of the Town.

The Town of Lancaster reserves the right to reject any or all bids, to waive any informalities or minor deviations from the specifications, or to make the award to other than the low bidder if it is found by the Town Board to be in the best interest of the Town to do so.

As price is not the total determining factor in the award, the Town of Lancaster may consider the bid of any person, firm or corporation void and unacceptable should the bidder take exception to any clause, requirement or instruction pertaining to these specifications.

2x1

Bids shall be submitted intact on the forms provided (bids not intact and received in other than original form will not be read) shall be enclosed in a sealed envelope, plainly marked "REFUSE AND GARBAGE COLLECTION SERVICE" and addressed to:

Mr. Robert P. Thill  
Town Clerk  
Town of Lancaster  
Town Hall - 21 Central Avenue  
Lancaster, New York 14086

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF LANCASTER

ROBERT P. THILL  
Town Clerk

Dated: February 6, 1989

32x1

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR KEYSA , WHO MOVED  
ITS ADOPTION, SECONDED BY THE ENTIRE  
TOWN BOARD, TO WIT:

WHEREAS, the Governor's Budget Office has recommended that the Legislature approve legislation which will permit the State Insurance Fund and all other workers' compensation carriers in New York State to increase from 3.5% to 5% the interest assumption factor on claim reserves, which, if approved, will result in a \$250,000,000 paper surplus for the State Insurance Fund, and

WHEREAS, the aforementioned legislative act would thereafter allow the State to transfer \$250,000,000 of this legislatively created surplus to the State budget, and

WHEREAS, the aforementioned, if effected, will cause less interest to be earned for the State Insurance Fund, thereby causing the Fund to increase the charges through an increase in the discount and/or an increase in charges to safety group policy holders, and

WHEREAS, the Town of Lancaster, as a member of the Workers safety group in the State Insurance Fund, would, therefore, see an increase in the cost of the premium for workers' compensation coverage;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby memorializes Governor Mario Cuomo; Senator Dale M. Volker and Assemblyman Vincent J. Graber to reconsider the beforementioned legislative action which would cause a direct increase in the premiums experienced by group policy holders, such as the Town of Lancaster, within the workers' compensation group of the State Insurance Fund.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

February 6, 1989

12x1

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN MILLER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

WHEREAS, the Building Inspector of the Town of Lancaster, by letter dated January 23, 1989, has recommended the appointment of **CARON GARCIA**, to the position of Building and Zoning Clerk in the service of the Building and Zoning Department of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that **CARON GARCIA**, 36 Marky Avenue, Lancaster, New York 14086 be and hereby is appointed to the position of Building and Zoning Clerk in the service of the Building and Zoning Department of the Town of Lancaster, and

BE IT FURTHER

RESOLVED, that this appointment be and is hereby effective February 6, 1989 with the following wage step percentages and dates:

90% of scale - \$16,593.00 - effective February 6, 1989

95% of scale - \$17,515.00 - effective August 6, 1989

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

February 6, 1989

File: R-PERS-APPT (P1)

12x1



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN CZAPLA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

WHEREAS, the Dog Control Officer of the Town of Lancaster has  
requested the Town Board to advertise for bids to furnish One (1) Animal  
Rescue Transport Unit for use by the Dog Control Department,

NOW, THEREFORE, BE IT

RESOLVED, that Notice to Bidders, in form attached hereto and made  
a part hereof, be published in the Lancaster Bee, and be posted according to  
Law, that the Town will receive bids up to 8:20 o'clock P.M., Local Time  
on February 27, 1989, to furnish One (1) Animal Rescue Transport Unit for use  
by the Dog Control Officer of the Town of Lancaster, in accordance with  
specifications on file in the office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

February 6, 1989

LEGAL NOTICE  
TOWN OF LANCASTER  
NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed bids and/or proposals will be received by the Town Board of the Town of Lancaster, Erie County, New York, at the Town Hall, 21 Central Avenue, Lancaster, New York, up to 8:20 o'clock P.M., Local Time on the 27th day of February, 1989, for the furnishing to the Dog Control Department of the Town of Lancaster, of One (1) Animal Rescue Transport Unit for use by the Dog Control Officer of the Town of Lancaster, in accordance with specifications on file in the Town Clerk's Office, 21 Central Avenue, Lancaster, New York.

A certified check or bid bond in the amount of \$500.00, payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Town reserves the right to reject any or all bids and to waive any informalities.

TOWN BOARD OF THE  
TOWN OF LANCASTER

BY: ROBERT P. THILL  
Town Clerk

February 6, 1989

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GIZA WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

WHEREAS, the Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated January 30, 1989, had requested permission to have Suzanne Metz and Robert Smith, Youth Counselors with the Youth Bureau, attend the workshop "Counseling Children: Selecting the Right Therapy at the Right Time" to be held on March 10, 1989 at the Holiday Inn - Airport,

NOW, THEREFORE, BE IT

RESOLVED, that SUZANNE METZ and ROBERT SMITH, Youth Counselors with the Youth Bureau of the Town of Lancaster, be and hereby are authorized to attend the workshop "Counseling Children: Selecting the Right Therapy at the Right Time" to be held on March 10, 1989 at the Holiday Inn - Airport, and

BE IT FURTHER

RESOLVED, that expense reimbursement for ordinary and necessary expenses be authorized in an amount not to exceed a total of \$60.00 each, and

BE IT FURTHER

RESOLVED, that said reimbursement will be made only upon submission of proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYS VOTED YES

The resolution was thereupon unanimously adopted.

February 6, 1989

File: R-SEM-MTGS

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN MILLER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster has requested the Town Board to advertise for bids to furnish One (1) New and Unused Hydraulic Crawler Excavator for use by the Town of Lancaster Highway Department, and

WHEREAS, the Highway Committee of the Town Board deems it in the public interest to approve such request,

NOW, THEREFORE, BE IT

RESOLVED, that Notice to Bidders, in form attached hereto and made a part hereof, be published in the Lancaster Bee, and be posted according to Law, that the Town will receive bids up to 8:10 o'clock P.M., Local Time, on February 27, 1989, to furnish One (1) New and Unused Hydraulic Crawler Excavator for use by the Town of Lancaster Highway Department, in accordance with specifications on file in the office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

February 6, 1989

132X1

LEGAL NOTICE  
TOWN OF LANCASTER  
NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed bids and/or proposals will be received by the Town Board of the Town of Lancaster, Erie County, New York, at the Town Hall, 21 Central Avenue, Lancaster, New York, up to 8:10 o'clock P.M., Local Time, on the 27th day of February, 1989, for the furnishing to the Highway Department of the Town of Lancaster, One (1) New and Unused Hydraulic Crawler Excavator for use by the Town of Lancaster Highway Department, in accordance with specifications on file in the Town Clerk's Office, 21 Central Avenue, Lancaster, New York.

A certified check or bid bond in the amount of Five Percentum (5%) of the base bid, payable to the Supervisor of the Town of Lancaster, and a Non-collusive Bidding Certificate must accompany each bid.

The Town reserves the right to reject any or all bids and to waive any informalities.

TOWN BOARD OF THE  
TOWN OF LANCASTER

BY: ROBERT P. THILL  
Town Clerk

February 6, 1989

PREFILED RESOLUTION NO. 15

Czapla/\_\_\_\_\_ Award Gasoline Bid

Councilman Czapla withdrew this resolution for futher study.

12X

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby  
ordered paid from their respective accounts:

Claim No. 6085 to Claim No. 6323 Inclusive.

Total amount hereby authorized to be paid:

\$ 430,457.39

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

February 6, 1989

File: R-CLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER, TO WIT:

RESOLVED, that the following Building Permit Applications be and  
are hereby approved and the issuance of these Building Permits be and are  
hereby authorized:

**CODES:**

(T) = Tree Planting Fee tendered to the Town of Lancaster pursuant to  
the provisions of Chapter 30-26 of the Code of the Town of Lancaster.

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of  
Lancaster are waived.

NO.	CODE	NAME	ADDRESS	STRUCTURE
27	(T)	Centennial Homes	19 Sugarbush La	ER. SIN. DWLG
28	(T)	Centennial Homes	15 Fieldstone La	ER. SIN. DWLG
29		Restore Gen. Cont.	59 Stony Rd	RESTORE FIREPLACE
30	(T)	Marrano/Marc Equity	32 Green Meadow Dr	ER. SIN. DWLG
31		Alice Domino	115 Spohn Dr	ER. GARAGE
32	(T)	Fischione & Sons	10 Arrow Tr	ER. SIN. DWLG
33	(T)	Marrano/Marc Equity	26 Green Meadow Dr	ER. SIN. DWLG
34		John Waldmiller	6461 Broadway	ER. GARAGE
35		George Lorenz	126 Ransom Rd	ER. WOOD STOVE

and,

BE IT FURTHER

RESOLVED, that Building Permit No. 21, issued to Keith Wilkinson,  
to erect a golf course on premises situate at 5360 Genesee Street, be and is  
hereby authorized, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW)  
for sidewalk waiver be and are hereby approved with a waiver of the Town  
Ordinance requirement for sidewalks.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

February 6, 1989

File: R-BLDG



Councilman Giza requested a suspension of the necessary rule for immediate consideration of the following resolution -  
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK, TO WIT:

WHEREAS, the Town Engineers has recommended to the Town Board of the Town of Lancaster the approval of Change Order No. 2 in the amount of zero dollars (\$0.00) for Contract No. LT-2, Erie County Sewer District No. 4,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves Change Order No. 2, Contract LT-2, Project Sanitary Relief Sewers, with John R. Schuler, Inc., in the amount of zero dollars (\$0.00), and

BE IT FURTHER

RESOLVED, that the Supervisor be and is hereby authorized to execute this change order on behalf of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYS	VOTED	YES

The resolution was thereupon unanimously adopted.

February 6, 1989

File: R-CHNG-ORD (P1)

Councilman Miller requested a suspension of the necessary rule for immediate consideration of the following resolution:

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN MILLER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

WHEREAS, the Town of Lancaster is a party plaintiff in an action against the State of New York regarding the formula applied for state aid to municipalities, and

WHEREAS, Counsel for the several municipalities pursuing this litigation against the State of New York have advised that there will be additional legal costs for the continuation of the appeal in this matter, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to continue as a plaintiff in this action to recover funds from the State of New York,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor and the Town Attorney of the Town of Lancaster are hereby authorized to pursue an appeal to the New York State Court of Appeals and that the Supervisor is hereby authorized to expend additional funds for legal fees in this appeal, not to exceed One Thousand Dollars (\$1,000.00).

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

February 6, 1989

12X

**STATUS REPORT ON UNFINISHED BUSINESS:**

1. Detention Basin - Milton Drive  
On June 6, 1988, the Town Engineer was directed to expedite this project.
2. Dumping Permit - Clarence Center General Construction Co.  
On January 27, 1989, this matter was referred to the Town Engineer and Building Inspector for review and recommendation.
3. Excavating Permit - Amadori Construction (Caci Property Site)  
On February 6, 1989, this matter was referred to the Planning Board, Town Engineer, Building Inspector, and Planning Consultant for review and recommendation.
4. Excavating Permit - Amadori Construction (Schaff Property Site)  
On August 23, 1988, this matter was referred to the Planning Board, Town Engineer, Building Inspector, and Planning Consultant for review and recommendation. On September 7, 1988, the Planning Board recommended approval of this permit.

5. Public Improvement Permit Authorization - Foreststream Village Subdivision, Phase 1 (DILapo)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Curbs	Yes	Yes	Yes
Floodway	Yes	No	No

6. Public Improvement Permit Authorization - Indian Pine Village (Fischione Const., Inc.)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement & Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	Yes	No	No

7. Public Improvement Permit Authorization - The Meadows (Giallanza)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement & Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	n/a	n/a	n/a

8. Public Improvement Permit Authorization - Pine Tree Farm (Josela - East off Aurora Street)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement & Curbs	No	No	No
Storm Sewers	No	No	No
Street Lights	No	No	n/a
Sidewalks	No	n/a	n/a
Detention Basin	No	No	No

32X

**STATUS REPORT ON UNEFINISHED BUSINESS (CONT'D.)****9. Public Improvement Permit Authorization -- Plumb Estates (Galasso)**

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement & Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	Yes	No	No

**10. Public Improvement Permit Authorization -- Plumb Estates South, Phase I (Galasso)**

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement & Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	n/a	n/a	n/a

**11. Public Improvement Permit Authorization -- Plumb Estates South, Phase II (Galasso)**

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement & Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	n/a	n/a	n/a

**12. Public Improvement Permit Authorization -- Warnerview Estates, Phase I (Donato)**

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement & Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	Yes	No	No

**13. Public Improvement Permit Authorization -- Warnerview Estates, Phase II (Donato)**

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement & Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	No	No	n/a
Sidewalks	No	n/a	n/a
Detention Basin	n/a	n/a	n/a

**14. Rezone Petition -- Bugenhagen & Pluff**

On February 7, 1989, the Town Clerk referred this matter to the Planning Board, Planning Consultant, Building Inspector and Town Board for review and recommendation.

**15. Rezone Petition -- Robert J. Deutschlander**

On September 6, 1988, the Town Board held a public hearing on this matter and reserved decision.

**16. Rezone Petition -- Genesis Development of W.N.Y., Inc.**

On February 6, 1989, the Town Board held a Public Hearing on this matter and reserved decision.

32X1

**STATUS REPORT ON UNEFINISHED BUSINESS CONT'D:**

17. State Contract Grant - 40 Clark Street Museum  
Application for grant has been filed.
18. Subdivision Approval - Lake Forest (Lake Forest Devel. - Off Lake Ave.)  
On January 27, 1989, this matter was referred to the Planning Board, Town Engineer, Building Inspector, Planning Consultant, Highway Superintendent, Police Chief and Twin District Fire Chief for review and recommendation.
19. Subdivision Approval - Meadowland Subdivision (Bosse - Off Rediein Dr.)  
On November 6, 1986, this matter was referred to the Planning Board Chairman, Chief Fowler, Highway Superintendent, Town Engineer, and Town Planning Consultant for review and report.
20. Subdivision Approval - Pine Tree Farm (Josela - Off Aurora St.)  
On June 1, 1988, this matter was referred to the Planning Board, Town Engineer, Building Inspector, Planning Consultant, Highway Superintendent, Police Chief and Twin District Fire Chief for review and recommendation. On June 6, 1988, a SEQR review was held on this matter and a Negative Declaration adopted.
21. Traffic Survey - William Street East to Schwartz Road  
On May 16, 1988, this matter was referred to the Police Chief for report. On February 6, 1989, the Town Board lowered the speed limit on William Street, in the area east of Bowen Road, to 40mph. The Town Clerk was directed to remove this item from future Town Board agendas.
22. Traffic Survey - Genesee Street East of Harris Hill Road  
On May 16, 1988, this matter was referred to the Police Chief for report and recommendation.
23. Zoning Ordinance and Map Update  
On December 12, 1988, the Town Board held a Public Hearing on this matter and reserved decision.
24. Zoning Ordinance Amendment - Campers and Boats  
On March 21, 1988, the Town Board held a public hearing on this matter and reserved decision.

**PERSONS ADDRESSING TOWN BOARD:**

Gaetano Farruggio, 46 Oxford Avenue, asked questions of the Board regarding the new Town Garbage District.

The following persons spoke to the Town Board relative to the proposed depth of the commercial zoning on Transit Road, north of Genesee Street. They urged the Town Board to keep the present 300 foot business zoning depth rather than adopt the 1,100 foot business zoning depth as proposed by the new Town Zoning Map:

Anthony Gallo, 14 Wainwright Court, Lancaster  
Mary Ann Reich, 10 Wainwright Court, Lancaster  
Charles Reich, 10 Wainwright Court, Lancaster

32X1

PERSONS ADDRESSING TOWN BOARD CONT'D.:

Jean Job, 497 Central Avenue, complained to the Town Board about the unsightly wood stockade fences that enclose the backyards of properties located on the west side of Central Avenue from Kennedy Court north to Country View Way.

The Supervisor assured Mrs. Job that the Town Board would look into the possible screening of these fences with some type of trees.

2x1

**COMMUNICATIONS:****DISPOSITION**

92. Police Chief to Town Board - Comments and recommendations re: computer Information system for Police Dept.	PUBLIC SAFETY COMMITTEE
93. Town Line V.F.D. to Town Board - Recommendation of member to active roster.	R & F
94. Police Chief to Supervisor, Town Clerk and Town Board - Report on J & I Disposal complaints.	R & F
95. Police Chief to County District Attorney - Requests re: forfeiture proceedings fees.	R & F
96. Building Inspector to Town Board - Monthly report for January 1989.	R & F
97. NYSDOT to Supervisor - Registration form for attending conference to be held 2/13-14/89 in Albany.	R & F
98. Buffalo News Article - "Lancaster Approves Middle School Plan".	R & F
99. Souther Tier Consulting to Supervisor - Request Town Issue a significance declaration re: Pine Hill Concrete Mix Corp. mining permit.	R & F TOWN ATTORNEY
100. <del>Belmont Update</del> - News brief re: Colonial Meadows Apartments.	R & F
101. Working Crew Chief to Supervisor - Report on work orders.	SUPERVISOR
102. Lancaster N.Y. Historical Society to Town Board - List of donations made to the Museum Special Project Fund as of 12/31/88.	R & F
103. NYSDEC to Buffalo Crushed Stone - Mining Permit.	TOWN ATTORNEY
104. Karen Schanne to Supervisor - Notice of return to work effective 1/30/89.	R & F
105. NYSDOT to Supervisor - Notice of meetings to be held in February and May.	R & F
106. Ellcott Creek Improvement Project Committee to Supervisor - Transmittal of memo concerning the long-range goals for Ellcott Creek.	R & F
107. County Dept. of Personnel to Supervisor - Comments re: temporary and provisional appointments.	R & F
108. Lancaster Central School District to Supervisor - Expression of gratitude for support and comments re: Comprehensive Mental Health Program State aid.	R & F
109. Lovell to Supervisor - Bulletin entitled "Help Stop Another "Raid" on the State Insurance Fund".	R & F
110. Assoc. of Erie County Gov'ts to Supervisor - Notice of meeting to be held 1/26/89 and minutes from meeting held 12/29/89.	R & F

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## COMMUNICATIONS CONT'D.:

## DISPOSITION

- |   |  |
|---|--|
| 111. County Legislature to Supervisor -<br>Resolution adopted 1/19/89 authorizing funds<br>to the operating budget of the Lancaster Police<br>Dept. | TOWN ATTORNEY                                      |
| 112. Town Clerk to Planning Board Chairman -<br>Transmittal of plat plan for Lake Forest<br>Subdivision.  | R & F  |
| 113. Highway Supt. to Town Board -<br>Transmittal of executed Agreement for<br>Expenditure of Highway Funds for 1989.                               | R & F  |
| 114. Police Chief to Planning Board Chairman -<br>Comments re: Lake Forest Subdivision.   | R & F  |
| 115. Town Attorney to County Water Authority -<br>Advise ment re: water line tap - ECSD No. 4 -<br>Aurora Street Lift Station.                      | R & F  |
| 116. Town Attorney to County Attorney -<br>Comments re: opposition to proposed changes in<br>Erie County Sanitary Code.                             | R & F  |
| 117. County Div. of Planning to Town Clerk -<br>Zoning Coordination Referral reply re:<br>Genesis Development Rezone Petition.                      | R & F  |
| 118. Lancaster Fire Concll, Inc. to Town Board -<br>Comments and request for advise ment re:<br>computer system.                                    | R & F<br>PUBLIC SAFETY COMMITTEE                   |
| 119. Caron L. Garcia to Town Board -<br>Request status of sick leave benefits.  | TOWN ATTORNEY<br>DIRECTOR OF FINANCE               |
| 120. Clarence Town Clerk to Town Board -<br>Resolution adopted 1/25/89 re: relocation of<br>Thruway toll barrier.                                   | R & F  |
| 121. Town Clerk to Town Engineer and Building<br>Inspector -<br>Clarence Center General Construction Co.<br>Dumping Permit Application.             | AGENDA   |
| 122. Lawley Service Inc. to Town Clerk -<br>Transmittal of Umbrella Policy effective<br>1/1/89.   | INSURANCE COMMITTEE<br>TOWN ATTORNEY<br>TOWN CLERK |
| 123. Sy Kolassa to Town Board -<br>Request consideration in matter of rezoning R1<br>property to become GB on new revised map.                      | R & F  |
| 124. Town Clerk to Supervisor -<br>Monthly report for January 1989.   | R & F  |
| 125. Keith A. Wilkinson to Town Board -<br>Re: Bowmansville Golf Course review.   | R & F  |
| 126. Town Attorney to J & I Disposal,<br>Aurora Sanitation and B.F.I. Waste Systems -<br>Advise ment of established Garbage and<br>Refuse District. | R & F  |
| 127. Planning Board Chairman to Town Board -<br>Minutes for meeting February 1, 1989.   | R & F  |
| 128. Planning Board Chairman to Town Board -<br>Requests funding for Planning Board member to<br>to attend Assoc. of Town's Mtg. 2/19-22/89.        | SUPERVISOR   |

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**COMMUNICATIONS CONT'D.:****DISPOSITION**

129. Town Clerk to Planning Board Chair. - Transmittal of Excavating Permit Application of Amadori Const. Co. for Caci Property - 61 Nichter Rd.	AGENDA ----- ----- -----
130. Lawley Service Inc. to Town Clerk - Declaration and endorsements re: Umbrella Policy.	INSURANCE COMMITTEE TOWN ATTORNEY TOWN CLERK ----- -----
131. Central Avenue Resident to Town Board - Complaint in regard to fencing on Central Ave.	R & F -----
132. Pres., Alden Board of Education to Supervisor - Meeting on 2/9/89 on "Funding Public Education."	R & F -----
133. WATERSHED NEWS Publication - Ellicott Creek Improvement Project.	R & F -----
134. Town Board Memorial Resolution - Memorial for Family of Peter Bolender.	R & F -----
135. Executive Director, Youth Bureau to Supervisor - Re: Workshop for Youth Bureau Counselors.	R & F -----
136. Town Engineers to Town Board - Re: Erie County Sewer District No. 4.	TOWN ATTORNEY FOR RESOLUTION 2/27/89 -----
137. Erie County Executive to Supervisor - Appointment of Supervisor to Erie & Niagara Counties Regional Planning Board.	R & F ----- -----
138. Buffalo Mayor to Supervisor - Comments re: 8% Sales Tax Revenue.	R & F -----
139. Supervisor to Village of Lancaster Trustees and Mayor - Comments re: Garbage District assumptions.	R & F ----- -----
140. Assoc. of Towns to Supervisor - Notice of receipt of dues.	R & F -----
141. Lancaster Trustee Humphrey to Supervisor - Request meeting to discuss garbage district.	SUPERVISOR R & F -----
142. Supervisor to Warren Delzer - Reply to letter re: garbage collection disposal.	R & F ----- -----
143. Donald Gallo, Consulting Engineer, to Supervisor and Councilman Kwak - Transmittal of grant application for Walden Pond Park, Phase II.	R & F TOWN ATTORNEY ----- -----
144. National Fuel to Supervisor - List of emergency and non-emergency numbers and personnel.	R & F -----
145. NYSDDEC TO ECDEP - Confirmation of discussions re: ECSD No. 4 Project.	R & F -----
146. Town Engineer to Town Board - Transmittal of Final Change Order No. 2 re: Sewer Rehab Project, Contract LT-2.	TOWN CLERK FOR SUSPENDED RESOLUTION ----- -----
147. Supervisor to Erie and Niagara Counties Reg. Planning board - Comments re: zoning map and Ellicott Creek Improvement Project.	R & F ----- -----

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COMMUNICATIONS CONT'D.:DISPOSITION

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| 148. Niagara Frontier Recreation and Parks Society to Supervisor -<br>Request support re: continued full funding of OMRDD local assistance monies in 1989 State Budget. | R & F<br>_____<br>_____<br>_____                 |
| 149. Excavating Permit Application of Amadori Const. Co. for Caci Property - 61 Nichter Rd.   | AGENDA<br>_____<br>_____                         |
| 150. Youth Bureau Ex. Dir. to Supervisor -<br>Recommending appointment of three tutors.   | R & F<br>_____<br>_____                          |
| Supervisor Keysa requested a suspension of the necessary rule for immediate consideration of the following communications -   |  |
| 151. A. Gallo to Town Clerk -<br>Requests M. Reich, A. Leising and himself be able to speak at Town Board Mtg.  | R & F<br>_____<br>_____                          |
| 152. Amadori Construction Co., Inc. to Town Board -<br>Re: Excavation Permit Fee to Remove Borrow Robert E. Schaff Property.  | TOWN ATTORNEY<br>_____<br>_____                  |
| 153. Meadowood Partners to Supervisor -<br>Seeking exemption from Refuse and Garbage District.  | R & F<br>SOLID WASTE COMMITTEE<br>_____<br>_____ |

ADJOURNMENT:

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 12:30 a.m. out of respect to:

DR. EDWARD M. BANGASSER  
EDWIN A. HESS  
FELMA LAWNICZAK  
FLORENCE RYCHLIK  
ROY SCHEIFLA  
SUE STATLER  
JESSIE C. SWEITZER  
MILDRED SUTTELL  
WALTER ZAMOYSKI  
ROBERT M. ZIMPFER

Signed Robert P. Thill  
Robert P. Thill, Town Clerk